

COMMONWEALTH OF KENTUCKY
PUBLIC PROTECTION CABINET
DEPARTMENT OF FINANCIAL INSTITUTIONS
DIVISION OF SECURITIES
AGENCY CASE NO: 2008-AH-009
ADMINISTRATIVE ACTION NO: 08-PPC-0075



DEPARTMENT OF FINANCIAL INSTITUTIONS,

PETITIONER

V.

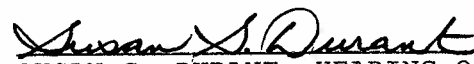
RALPH O. BERRY, III,

RESPONDENT

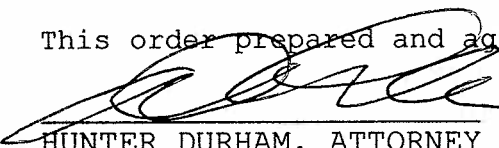
AGREED ORDER OF DISMISSAL

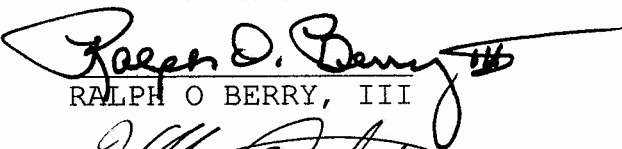
The Petitioner and the Respondent, by Counsel do hereby agree to dismiss the above action without prejudice upon the agreement that the Respondent does hereby withdraw his request to be a licensed agent of an issuer and agrees that a new application will not be filed without the consent of the Petitioner until November 1, 2009. By entering into this Agreed Order, the parties recognize that the Petitioner is not obligating or committing itself to approve any future request by Respondent to become a licensed issuer agent in Kentucky. It is acknowledged that the Respondent is the sole owner of Berry Resources, Inc., and the only officer and director of said company.


DATED THIS THE 2nd DAY OF December 2008


SUSAN S. DURANT, HEARING OFFICER
DIV. OF ADMINISTRATIVE HEARINGS
OFFICE OF THE ATTORNEY GENERAL
1024 CAPITAL CENTER DR. STE. 200
FRANKFORT, KY 40601-8204

This order prepared and agreed to:


HUNTER DURHAM, ATTORNEY
DURHAM & ZORNES
130 PUBLIC SQUARE
P. O. BOX 100
COLUMBIA, KY 42728
ATTORNEY FOR RESPONDENT


RALPH O BERRY, III


WILLIAM OWSLEY,
COUNSEL
DEPARTMENT OF FINANCIAL INSTITUTIONS
SUITE 200, 1025 CAPITAL CENTER DRIVE
FRANKFORT, KY 40601

CERTIFICATE

I, hereby certify that the original of this ORDER was
mailed this the 3rd day of December, 2008, by messenger
mail to:

GENERAL COUNSEL
DEPARTMENT OF FINANCIAL INSTITUTIONS
102 CAPITAL CENTER DR. STE. 200
FRANKFORT, KY 40601

for filing; and a true copy was sent by first-class mail,
postage prepaid, to:

HUNTER DURHAM, ATTORNEY
DURHAM & ZORNES
130 PUBLIC SQUARE
P. O. BOX 100
COLUMBIA, KY 42728

and, by messenger mail, to:

WILLIAM OWSLEY,
COUNSEL
OFFICE OF FINANCIAL INSTITUTIONS
SUITE 200, 1025 CAPITAL CENTER DRIVE
FRANKFORT, KY 40601


DOCKET COORDINATOR